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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

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7 NICHOLLUS JACKSON,
8 Petitioner,

9 v.

10 J. BEAN, *et al.*,
11 Respondents.
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Case No. 2:24-cv-01585-RFB-BNW

ORDER

13 Nichollus Jackson has submitted a pro se 28 U.S.C. € 2254 petition for writ of habeas
14 corpus. ECF No. 1. He has not, however, either paid the \$5.00 filing fee or submitted a completed
15 application to proceed *in forma pauperis* with the required inmate account statements for the past
16 six months and financial certificate. 28 U.S.C. € 1915(a)(2); Local Rule LSR 1-2.

17 The action therefore is subject to dismissal without prejudice as improperly commenced.
18 However, it is unclear from the papers presented whether a dismissal without prejudice will
19 materially affect a later analysis of any timeliness issue with respect to a new action. So the Court
20 will give Petitioner 30 days to pay the filing fee or submit an *in forma pauperis*.

21 Petitioner has also filed motion for order to show cause why respondent has not responded
22 to the petition. ECF No. 11. The Court will not screen the petition until the filing fee or *in forma*
23 *pauperis* has been resolved, and the petition has not yet been served on the Respondents. So the
24 motion is denied.

25 **IT IS THEREFORE ORDERED** that within 30 days of the date of this order Petitioner
26 must submit either the \$5.00 filing fee or a fully completed application to proceed *in forma*
27 *pauperis*.

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1 **IT IS FURTHER ORDERED** that failure to do so may result in the dismissal of this
2 action without prejudice and without further prior notice.

3 **IT IS FURTHER ORDERED** that Petitioner's motion for extension of time to pay the
4 filing fee (**ECF No. 10**) is **DENIED** as moot.

5 **IT IS FURTHER ORDERED** that Petitioner's motion for order to show cause why
6 Respondent have not responded (**ECF No. 11**) is **DENIED**.

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9 **DATED:** December 12, 2024



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11 **RICHARD F. BOULWARE, II**
12 **UNITED STATES DISTRICT JUDGE**
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